

Andrew J. Wu/PA/MLBLaw

11/06/2007 04:10 PM

To "Shoiket, Igor" <ishoiket@townsend.com>

cc ahoffman@morganlewis.com, aspicer@morganlewis.com, bschuman@morganlewis.com, "Jacobs, Eric P." <epjacobs@townsend.com>, hdoscher@morganlewis.com, rtautkus@morganlewis.com, rwilkins@morganlewis.com

bcc Michael H. Nguyen/PA/MLBLaw

Subject RE: Fairchild v. AOS - Dr. Anasuya Krishnaswamy 

Igor,

AOS is withdrawing its objection under the Protective Order regarding Dr. Krishnaswamy.

Andrew J. Wu
Morgan, Lewis & Bockius LLP
2 Palo Alto Square
3000 El Camino Real
Palo Alto, California 94306
650-843-7511
650-843-4001 (facsimile)
awu@morganlewis.com

"Shoiket, Igor" <ishoiket@townsend.com>



"Shoiket, Igor"
<ishoiket@townsend.com>

11/06/2007 03:20 PM

To awu@morganlewis.com

cc ahoffman@morganlewis.com, aspicer@morganlewis.com, bschuman@morganlewis.com, "Jacobs, Eric P." <epjacobs@townsend.com>, hdoscher@morganlewis.com, rtautkus@morganlewis.com, rwilkins@morganlewis.com

Subject RE: Fairchild v. AOS - Dr. Anasuya Krishnaswamy

What is AOS's response in regards to Dr. Krishnaswamy?

-----Original Message-----

From: awu@morganlewis.com [mailto:awu@morganlewis.com]
Sent: Tuesday, November 06, 2007 12:46 PM
To: Shoiket, Igor
Cc: ahoffman@morganlewis.com; aspicer@morganlewis.com; bschuman@morganlewis.com; Jacobs, Eric P.; hdoscher@morganlewis.com; rtautkus@morganlewis.com; rwilkins@morganlewis.com
Subject: RE: Fairchild v. AOS - Dr. Anasuya Krishnaswamy

Igor,

My secretary will be sending you a letter in a few minutes regarding the discovery issue we discussed yesterday.

Andrew J. Wu
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To

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11/05/2007 02:05

cc

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Eric P. " <epjacobs@townsend.com>,

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rtautkus@morganlewis.com,

rwilkins@morganlewis.com

Subject

RE: Fairchild v. AOS - Dr.

Anasuya

Krishnaswamy

Andrew -

I propose that we discuss this issue at 4:00 pm today to make sure that we've addressed all of your questions, to avoid any further delay in getting this matter resolved by agreement or motion.

I would also like to discuss at that time our proposal for a stipulation under Civil L.R. 6-2 to change time to consolidate all hearings, as set forth in my earlier (attached) e-mail. If we are unable to reach an agreement on this issue, we will file a motion to change time under Civil L.R. 6-3 tomorrow.

Please let me know which number I should call at 4:00 pm to discuss these issues.

Regards,

Igor

-----Original Message-----

From: awu@morganlewis.com [mailto:awu@morganlewis.com]
Sent: Monday, November 05, 2007 1:46 PM
To: Shoiket, Igor
Cc: ahoffman@morganlewis.com; aspicer@morganlewis.com;
bschuman@morganlewis.com; Jacobs, Eric P.; hdoscher@morganlewis.com;
rtautkus@morganlewis.com; rwilkins@morganlewis.com
Subject: RE: Fairchild v. AOS - Dr. Anasuya Krishnaswamy

Igor,

AOS is not yet withdrawing its objection, having just gotten the details regarding the TPL matter. I can probably get you an answer tomorrow.

Let

me know if you still want to talk at 4:00.

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To

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11/05/2007 01:40

cc

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aspicer@morganlewis.com, "Jacobs,
Eric P." <epjacobs@townsend.com>,
hdoscher@morganlewis.com,
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rwilkins@morganlewis.com,
bschuman@morganlewis.com

Subject

RE: Fairchild v. AOS - Dr.

Anasuya

Krishnaswamy

Andrew -

Yes, the TPL v. Fujitsu case is Technology Properties Limited, Inc. v. Fujitsu Ltd., et al, No. 2-05-CV-494 (E.D. Texas). There is related litigation in ND Cal but it's been stayed for a while now. Regardless, all of Dr. Krishnaswamy's consulting for TPL was done in the ED Texas case.

We assume that AOS is withdrawing its objections to Dr. Krishnaswamy and intend to begin sharing AOS's confidential and AEO information with her pursuant to the protective order. Let me know immediately if this understanding is incorrect, in which case I propose a telephonic conference at 4:00 pm this afternoon to address whatever issues AOS believes to remain. I am at 415-273-7590.

Regards,

Igor

-----Original Message-----

From: awu@morganlewis.com [mailto:awu@morganlewis.com]
Sent: Monday, November 05, 2007 12:52 PM

To: Shoiket, Igor
Cc: ahoffman@morganlewis.com; aspicer@morganlewis.com; Jacobs, Eric P.;
hdoscher@morganlewis.com; rtautkus@morganlewis.com;
rwilkins@morganlewis.com
Subject: RE: Fairchild v. AOS - Dr. Anasuya Krishnaswamy

Igor,

Just so we're clear, is this Technology Properties Limited, Inc. v. Fujitsu Ltd., et al, No. 2-05CV-494 (E.D. Texas)? Are there any related cases?

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To

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11/03/2007 02:11

cc

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rtautkus@morganlewis.com,
rwilkins@morganlewis.com,
Eric P." <epjacobs@townsend.com>

Subject RE: Fairchild v. AOS - Dr.
Anasuya Krishnaswamy

Andrew,

Dr. Krishnaswamy was a technical consultant for TPL in the TPL v. Fujitsu case.

Further, as required by par. 7.4 (a) of the Protective Order, we have identified Dr. Krishnaswamy's current employment and each person or entity from whom Dr. Krishnaswamy has received compensation for work in her areas of expertise, relating to the subject matter of this litigation or to semiconductor industry in general, at any time during the preceding five years.

We've also identified each person or entity to whom Dr. Krishnaswamy has provided professional services, relating to the subject matter of this litigation or to semiconductor industry in general, at any time during the preceding five years.

Fairchild has fully complied with the requirements of the Protective Order by making a full and complete disclosure of Dr. Krishnaswamy's relevant education and consulting and technical experience. Please confirm that AOS is withdrawing all objections to disclosure of AOS's "Confidential" and "Highly Confidential -- Attorneys' Eyes Only" information to Dr. Krishnaswamy.

Igor

Igor Shoiket
Attorney At Law
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-----Original Message-----

From: awu@morganlewis.com [mailto:awu@morganlewis.com]
Sent: Friday, November 02, 2007 5:04 PM
To: Shoiket, Igor
Cc: ahoffman@morganlewis.com; aspicer@morganlewis.com;
awu@morganlewis.com;
hdoscher@morganlewis.com; rtautkus@morganlewis.com;
rwilkins@morganlewis.com; Jacobs, Eric P.
Subject: RE: Fairchild v. AOS - Dr. Anasuya Krishnaswamy

Igor,

AOS objects to disclosure of its Confidential or Highly Confidential --
Attorneys' Eyes Only" information to Dr. Krishnaswamy. Fairchild's
disclosure does not indicate the party for whom Dr. Krishnaswamy
consulted
in the TPL v. Fujitsu case. Further, other than that case, Fairchild's
disclosure does not disclose her employment, consulting or otherwise,
between 2003 and the present.

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To

11/02/2007 04:37
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"rtautkus@morganlewis.com"
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"aspicer@morganlewis.com"
<'aspicer@morganlewis.com'>,
"ahoffman@morganlewis.com"
<'ahoffman@morganlewis.com'>,
"rwilkins@morganlewis.com"
<'rwilkins@morganlewis.com'>,
"hdoscher@morganlewis.com"
<'hdoscher@morganlewis.com'>

cc

"Jacobs, Eric P."
<epjacobs@townsend.com>

Subject

RE: Fairchild v. AOS - Dr.

Anasuya

Krishnaswamy

To make sure the record is perfectly clear, Dr. Anasuya Krishnaswamy was disclosed to AOS on October 26, 2007, and AOS has not objected to the disclosure of information designated by AOS as "Confidential" and/or "Highly Confidential -- Attorneys' Eyes Only" to Dr. Anasuya Krishnaswamy within the time limits of section 7.4(b) of the Protective Order.

Igor

-----Original Message-----

From: Shoiket, Igor
Sent: Friday, November 02, 2007 4:20 PM
To: 'awu@morganlewis.com'; 'rtautkus@morganlewis.com';
'aspicer@morganlewis.com'; 'ahoffman@morganlewis.com';
'rwilkins@morganlewis.com'; 'hdoscher@morganlewis.com'

Cc: Jacobs, Eric P.
Subject: Fairchild v. AOS - Dr. Anasuya Krishnaswamy

Counsel:

Pursuant to section 7.4 of the Protective Order, we intend to disclose information designated by AOS as "Confidential" and/or "Highly Confidential -- Attorneys' Eyes Only" to Dr. Anasuya Krishnaswamy.

Regards,

Igor

Igor Shoiket
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-----Original Message-----

From: Hulse, Matthew R
Sent: Friday, October 26, 2007 6:43 PM
To: 'bschuman@morganlewis.com'
Cc: 'awu@morganlewis.com'; 'rtautkus@morganlewis.com';
'aspicer@morganlewis.com'; 'ahoffman@morganlewis.com';
'rwilkins@morganlewis.com'; 'hdoscher@morganlewis.com'

Subject: Fairchild v. AOS

Brett:

Please see the attached letter.

Matt

Matthew R. Hulse
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<< File: 10262007 Ltr from Hulse to Schuman.pdf >> << File:
Krishnaswamy resume.pdf >> << File: Acknowledgement.pdf >>

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----- Message from "Shoiket, Igor" <ishoiket@townsend.com> on Mon, 5 Nov 2007 09:56:50 -0800 -----

To: ahoffman@morganlewis.com, aspicer@morganlewis.com,

hdoscher@morganlewis.com, rtautkus@morganlewis.com,

rwilkins@morganlewis.com, bschuman@morganlewis.com

cc: "Jacobs, Eric P." <epjacobs@townsend.com>

Sub RE: Fairchild v. AOS - Request for a stipulation on a motion to
jec change time

t:

I apologize, I meant to say "December 11 noticed hearing date" in my original e-mail.

> -----Original Message-----
> From: Shoiket, Igor
> Sent: Monday, November 05, 2007 9:55 AM
> To: 'ahoffman@morganlewis.com'; 'aspicer@morganlewis.com';
> 'hdoscher@morganlewis.com'; 'rtautkus@morganlewis.com';
> 'rwilkins@morganlewis.com'; bschuman@morganlewis.com
> Cc: Jacobs, Eric P.
> Subject: Fairchild v. AOS - Request for a stipulation on a
motion
> to change time
>
> Counsel:
>
> Fairchild is planning to file a motion to strike AOS's Supplemental
> PICs for the '567 and the '776 patents and a motion to compel
> discovery as it relates to AOS's limitation of the definition of the
> "accused devices" to the products identified in the August 3, 2005
> letter. We plan to files these motions tomorrow, November 6, 2007,
> concurrently with our opposition to AOS's motion to strike Fairchild's
> PICs.
>
> We believe that all three motions address related subject matter and
> therefore should be heard on the same date. To that end, we propose
> that the parties stipulate to extend the time to hear AOS's motion to
> strike Fairchild's PICs to December 11, to coincide with the noticed

> hearing on Fairchild's motions that will be filed tomorrow. We will
> agree that AOS's time to file and serve a reply to Fairchild's
> opposition to AOS's motion to strike Fairchild's PICs should be
> calculated based on the December 11 noticed hearing date, thereby
> allowing AOS additional time to file and serve its brief.
>
> Alternatively, we would agree to shorten time for the briefing and
> hearing schedule on Fairchild's motions that will be filed tomorrow,
> so that all three motions referenced above may be heard on November
> 27, the noticed hearing date for AOS's motion to strike Fairchild's
> PICs.
>
> Please let us know today whether AOS will agree to either of the
> stipulations, as proposed above.
>
> Regards,
>
> Igor
>
> Igor Shoiket
> TOWNSEND AND TOWNSEND AND CREW LLP
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